

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMPANY PETITION NO. 402 OF 2015

M/s. Universal Prime Aluminum Pvt. Ltd. .. Petitioner
Vs.
M/s. PBA Infrastructure Ltd. .. Respondent

Mr. Rajshekhar V. Govilkar for the Petitioner.
Ms. Dhananjay A. Athavale for the Respondent.

CORAM : A. S. GADKARI, J.
DATE : 15th JUNE, 2017.

P. C. :

1. The parties herein have settled the matter amicably and have tendered Consent Terms dated 15.06.2017. The said Consent Terms are taken on record and marked 'X' for identification.
2. It is agreed by the respondent that the respondent shall make payment to the petitioner as has been mentioned in Clause 1 of the Consent Terms. The last date of the payment is 28.02.2018.
3. In the event of the respondent company commits any single default in payment of aforesaid installments as agreed and mentioned in Clause 1 of the Consent Terms with further extension of 7 days, the petition shall stand revived and admitted without further reference to this Court and made returnable within six weeks from the date of any such default and advertise in two local newspapers, namely, Free Press Journal (in English) and Navshakti (in Marathi) and official gazette of the

Maharashtra Government.

4. The petitioner shall, within two weeks from the date of such a default, deposit with the Prothonotary and Senior Master of this Court a sum of Rs.10,000/- towards the publication charges with intimation to the Company Registrar, failing which the Company Petition shall stand dismissed for non prosecution without further reference to this Court.

5. The notice under Rule 28 of the Company (Court) Rules, 1959 shall also stand waived on behalf of the respondent-company.

6. The petition is, accordingly, disposed off.

[A. S. GADKARI, J.]